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April 19, 2013

Ms. Barbara Evoy
State Water Resources Control Board
P.O. Box 2000
Sacramento, California 95812-2000

Re: New Water Right Application for Chateau Montelena L.P. – Napa County

Dear Ms. Evoy:

On behalf of Chateau Montelena L.P., we are submitting a new water right application, maps and required attachments.

The application is being filed for storage of ~~57.5~~ 27.5 acre-feet in one existing on-stream pond ~~and one proposed offstream pond~~ for irrigation, frost protection and heat control of 117 acres of existing vineyard.

Enclosed are the following checks for the required filing fees:

- a check for $1,712.50 for the State Water Resources Control Board a check for
- a check for $850 to the Department of Fish and Game

Please contact me if you have any questions.

Very truly yours,
WAGNER & BONSIGNORE
CONSULTING CIVIL ENGINEERS

Ryan Stolfus

Encl. √
cc: Bo Barrett

2151 River Plaza Drive · Suite 100 · Sacramento, CA 95833-4133
Ph: 916-441-6850 or 916-448-2821 · Fax: 916-779-3120

TYPE OR PRINT
IN BLACK INK
(For instructions, see booklet: "How to File an Application to Appropriate Water in California")

APPLICATION NO. _____

California Environmental Protection Agency

State Water Resources Control Board
Division of Water Rights
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
www.waterboards.ca.gov/waterrights

APPLICATION TO APPROPRIATE WATER

1. APPLICANT/AGENT

	APPLICANT	ASSIGNED AGENT (if any)
Name	Chateau Montelena L.P.	Wagner & Bonsignore, CCE
Mailing Address	1429 Tubbs Lane	2151 River Plaza Dr. Ste. 100
City, State & Zip	Calistoga, CA 94515	Sacramento, CA 95833
Telephone	(707) 975-9140	(916) 441-6850
Fax		(916) 448-3866
E-mail		rstolfus@wbecorp.com

2. OWNERSHIP INFORMATION (Please check type of ownership.)

☐ Sole Owner ☐ Limited Liability Company (LLC) ☐ General Partnership*
☒ Limited Partnership* ☐ Business Trust ☐ Husband/Wife Co-Ownership
☐ Corporation ☐ Joint Venture ☐ Other _____

*Please identify the names, addresses and phone numbers of all partners. See Attachment

3. PROJECT DESCRIPTION (Provide a detailed description of your project, including, but not limited to, type of construction activity, area to be graded or excavated, and how the water will be used.) Add additional pages if needed and check box below and label as an attachment.

☒ *For continuation, see Attachment No.* 1

4. PURPOSE OF USE, DIVERSION/STORAGE AMOUNT AND SEASON

a. PURPOSE OF USE (irrigation, domestic, etc.)	DIRECT DIVERSION				STORAGE		
	AMOUNT		SEASON OF DIVERSION		AMOUNT	SEASON OF COLLECTION	
	Rate (cfs or gpd)*	Acre-feet per annum	Beginning date (month & day)	Ending date (month & day)	Acre-feet per annum	Beginning date (month & day)	Ending date (month & day)
Irrigation					~~57.5~~ 27.5	11-1	5-14
Frost Protection							
Heat Control							
					27.5 ~~57.5~~		
	Total afa			Total afa			

☐ *See Attachment No.* ___ * If rate is less than 0.025 cubic feet per second (cfs), use gallons per day (gpd).

b. Total combined amount taken by direct diversion and storage during any one year will be ~~57.5~~ 27.5 acre-feet.

c. Reservoir storage is: ☒ onstream ☐ offstream ☐ underground (If underground storage, attach Underground Storage Form.)

d. County in which diversion is located: Napa County in which water will be used: Napa

5. SOURCES AND POINTS OF DIVERSION/REDIVERSION

a. Sources and Points of Diversion (POD)/Points of Rediversion (PORD):

☒ POD / ☒ PORD # 1 Unnamed Stream tributary to Unnamed Steream thence the Napa River

☒ POD / ☒ PORD # 2 Unnamed Stream tributary to the Napa River thence ___

~~☒ POD / ☐ PORD # 3 Napa River~~ tributary to ___ thence ___

☐ POD / ☐ PORD # ___ tributary to ___ thence ___

If needed, attach additional pages, check box below and label attachment

☐ *See Attachment No.* ___

b. State Planar and Public Land Survey Coordinate Description:

POD/ PORD #	CALIFORNIA COORDINATES (NAD 83)	ZONE	POINT IS WITHIN (40-acre subdivision)	SECTION	TOWN-SHIP	RANGE	BASE AND MERIDIAN
1	N. 1,984,511' E. 6,389,823	2	SW ¼ of SE ¼	23	9N	7W	MD
2	N. 1,984,871' E. 6,389,402'	2	NW ¼ of SE ¼	23	9N	7W	MD
~~3~~	~~N. 1,982,135' E. 6,389,745'~~	~~2~~	~~NW ¼ of NE ¼~~	~~26~~	~~9N~~	~~7W~~	~~MD~~
			¼ of ¼				

If needed, attach additional pages, check box below and label attachment

☐ *See Attachment No.* ___

c. Name of the post office most often used by those living near the proposed point(s) of diversion: Calistoga

6. WATER AVAILABILITY

a. Have you attached a water availability analysis for this project? ☒ YES ☐ NO
If NO, provide sufficient information to demonstrate that there is reasonable likelihood that unappropriated water is available for the proposed appropriation: If needed, attach additional pages, check box below and label attachment.

☒ *See Attachment No.* 2

b. Is your project located on a stream system declared to be fully appropriated by the State Water Resources Control Board (State Water Board) during your proposed season of diversion?
☐ YES ☒ NO

c. In an average year, does the stream dry up at any point downstream of your project? ☒ YES ☐ NO
If YES, during which months? ☐ Jan ☐ Feb ☐ Mar ☐ Apr ☐ May ☒ Jun ☒ Jul ☒ Aug ☒ Sep ☐ Oct ☐ Nov ☐ Dec

d. What alternate sources of water are available if a portion of your requested diversion season must be excluded because water is not available for appropriation? (e.g., percolating groundwater, purchased water, etc.) If needed, attach additional pages, check box below and label attachment
N/A

☐ *See Attachment No.* ___

7. PLACE OF USE

a.

USE IS WITHIN (40-acre subdivision)	SECTION*	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Acres	Presently cultivated?
¼ of ¼						☐ YES ☐ NO
¼ of ¼						☐ YES ☐ NO
¼ of ¼						☐ YES ☐ NO
¼ of ¼						☐ YES ☐ NO
¼ of ¼						☐ YES ☐ NO
¼ of ¼						☐ YES ☐ NO
¼ of ¼						☐ YES ☐ NO
¼ of ¼						☐ YES ☐ NO
				Total Acres:	117	

*Please indicate if section is projected with a "(P)" following the section number.

☒ *See Attachment No.* 3 Please provide the Assessor's Parcel Number(s) for the place of use:
017-130-050

8. PROJECT SCHEDULE

Project is: ☐ proposed, ~~☒ partially complete~~ or ☑ complete (Year completed - 1972).

Extent of completion: Reservoir #1 and Point of Diversion #2 are existing and the place of use is fully developed. ~~Point of Diversion #3 and offstream reservoir "A" are proposed to be developed.~~

Estimated amount of time in years it will take for construction to be completed: ~~5~~

Estimated amount of time in years it will take for water to be put to full beneficial use: ~~10~~

9. JUSTIFICATION OF AMOUNTS REQUESTED

a. ☒ IRRIGATION: Maximum area to be irrigated in any one year: 117 acres.

CROP	ACRES	METHOD OF IRRIGATION (sprinklers, flooding, etc.)	WATER USE (Acre-feet/Yr.)	SEASON OF WATER USE	
				Beginning date (month & day)	Ending date (month & day)
Vineyard	117	Drip	~~57.5~~ 27.5	5-1	10-31

☐ *See Attachment No.* ___

b. ☐ DOMESTIC: Number of residences to be served: _____ Separately owned? ☐ YES ☐ NO Number of people to be served: _____ Estimated daily use per person is: _____ gallons per day Area of domestic lawns and gardens: _____ square feet Incidental domestic uses:

_____
(dust control area, number and kind of domestic animals, etc.)

a. ☐ STOCKWATERING: Kind of stock: _____ Maximum number: _____
Describe type of operation: _____
(feedlot, dairy, range, etc.)

d. ☐ RECREATIONAL: Type of recreation: ☐ Fishing ☐ Swimming ☐ Boating ☐ Other _____

e. ☐ MUNICIPAL:

POPULATION List for 5-year periods until use is completed		MAXIMUM MONTH		ANNUAL USE		
Period	Population	Average daily use (gallons per capita)	Rate of diversion (cfs)	Average daily use (gallons per capita)	Acre-foot (per capita)	Total (acre-feet)
Present						

☐ *See Attachment No.* ___

Month of maximum use during year: _____
Month of minimum use during year: _____

f. ☒ HEAT CONTROL: Area to be heat controlled: 117 net acres
Type of crops protected: vineyard
Rate at which water is applied to use: 35 gpm per acre
Heat protection season will begin 7-1 (month and day) and end 9-30 (month and day).

g. ☒ FROST PROTECTION: Area to be frost protected: 117 net acres
Type of crops protected: vineyard
Rate at which water is applied to use: 55 gpm per acre
The frost protection season will begin 3-1 (month & day) and end 5-31 (month & day).

h. ☐ INDUSTRIAL: Type of industry: _____

Basis for determination of amount of water needed: _____

i. ☐ MINING: Name of the claim: _____ ☐ Patented ☐ Unpatented
Nature of the mine: _____ Mineral(s) to be mined: _____
Type of milling or processing: _____
After use, the water will be discharged into _____ (watercourse)
in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____B. & M.

j. ☐ POWER: Total head to be utilized: _____ feet
Maximum flow through the penstock: _____ cfs Maximum theoretical horsepower capable of being generated by the works (cfs x fall ÷ 8.8): _____
Electrical capacity (hp x 0.746 x efficiency): _____ kilowatts at: _____% efficiency
After use, the water will be discharged into _____ (watercourse)
in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____B&M. FERC No.: _____

k. ☒ FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: List specific species and habitat type that will be preserved or enhanced: ~~Steelhead and riparian habitat (per Corinne Gray)~~ RG

l. ☐ OTHER: Describe use: _____
Basis for determination of amount of water needed: _____

10. DIVERSION AND DISTRIBUTION METHOD

a. Diversion will be by gravity by means of: #1: Dam #2: Diversion Weir
(dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)

b. Diversion will be by pumping from: ~~#3: Offset well~~
(sump, offset well, channel, reservoir, etc)
Pump discharge rate: ~~2.9~~ ☒ cfs or ☐ gpd Horsepower: ~~75~~
Pump Efficiency: ~~75%~~

c. Conduit from diversion point to first lateral or to offstream storage reservoir:

	CONDUIT (pipe or channel)	MATERIAL (type of pipe or channel lining; indicate if pipe is buried or not)	CROSS SECTION (pipe diameter; or ditch depth and top and bottom width) (inches or feet)	LENGTH (feet)	TOTAL LIFT OR FALL		CAPACITY (cfs, gpd or gpm)
					feet	+ or -	
#2-#1	Channel	unlined channel	3.5', 4', 0'	250'	0	-	2.9 cfs
~~#3-A~~	~~Pipe~~	~~PVC~~	~~8"~~	~~100'~~	~~10~~	~~+~~	~~2.9 cfs~~

☐ *See Attachment No. ___*

d. Storage reservoirs: (For underground storage, complete and attach underground storage form)

RESERVOIR NAME OR NUMBER	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (feet)	Construction material	Length (feet)	Freeboard: dam height above spillway crest (feet)	Surface area when full (acres)	Capacity (acre-feet)	Maximum water depth (feet)
1	24.5	Earth	450'	4'	2	27.5	18
~~A~~	~~N/A~~	~~Earth~~	~~1,600*~~	~~2'~~	~~3~~	~~30~~	~~15~~

☐ *See Attachment No. ___*

~~* 1,600' total length. Four sided pit pond with 400' length each side~~

e. Outlet pipe: Complete for storage reservoirs having a capacity of 10 acre-feet or more.

RESERVOIR NAME OR NUMBER	OUTLET PIPE				
	Diameter in inches	Length in feet	Fall: Vertical distance between entrance and exit of outlet pipe in feet	Head: Vertical distance from spillway to entrance of outlet pipe in feet	Dead Storage: Storage below entrance of outlet pipe in acre-feet

☒ *See Attachment No.* 4

e. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to off-stream storage will be ~~2.0~~ cfs. Diversion to offstream storage will be made by:
☐ Pumping ☒ ~~Gravity~~

11. CONSERVATION AND MONITORING

a. What methods will you use to conserve water? Explain.
Drip irrigation

b. How will you monitor your diversion to be sure you are within the limits of your water right and you are not wasting water? ☐ Weir ☒ Meter ☐ Periodic sampling ☒ Other (describe)
Flow meters and staff gages in reservoirs.

12. RIGHT OF ACCESS

a. Does the applicant own all the land where the water will be diverted, transported and used?
☒ YES ☐ NO
If NO, I ☐ do ☐ do not have a recorded easement or written authorization allowing me access.

b. List the names and mailing addresses of all affected landowners and state what steps are being taken to obtain access:

☐ *See Attachment No.* ___

13. EXISTING WATER RIGHTS AND RELATED FILINGS

a. Do you claim an existing right for the use of all or part of the water sought by this application?
☐ YES ☒ NO
If YES, please specify: ☐ Riparian ☐ Pre-1914 ☐ Registration ☐ Permit ☐ License
☐ Percolating groundwater ☐ Adjudicated ☐ Other (specify) _____

b. For each existing right claimed, state the source, year of first use, purpose, season and location of the point of diversion (to within quarter-quarter section). Include number of registration, permit, license, or statement of water diversion and use, if applicable.

☐ *See Attachment No.* ___

c. List any related applications, registrations, permits, or licenses located in the proposed place of use or that utilize the same point(s) of diversion.

☐ *See Attachment No. ___*

14. OTHER SOURCES OF WATER

Are you presently using, or do you intend to use, purchased water or water supplied by contract in connection with this project? ☐ Yes ☒ No If yes, please explain:

15. MAP REQUIREMENTS

The Division cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the quarter/quarter, section, township, range, and meridian of (1) the proposed points of diversion and (2) the place of use. A copy of a U.S.G.S. quadrangle/topographic map of your project area is preferred, and can be obtained from sporting goods stores or through the Internet at http://topomaps.usgs.gov. A certified engineering map is required when (1) appropriating more than three cubic feet per second by direct diversion, (2) constructing a dam which will be under the jurisdiction of the Division of Safety of Dams, (3) creating a reservoir with a surface area in excess of ten acres or (4) appropriating more than 1,000 acre-feet per annum by underground storage. See the instruction booklet for more information.

☒ *See Attachment No. 5*

ENVIRONMENTAL INFORMATION

Note: Before a water right permit may be issued for your project, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared for your project, a determination must be made of who is responsible for its preparation. If the State Water Board is determined to be responsible for preparing the CEQA document, the applicant will be required to pay all costs associated with the environmental evaluation and preparation of the required documents. Please answer the following questions to the best of your ability and submit with this application any studies that have been conducted regarding the environmental evaluation of your project.

16. COUNTY PERMITS

a. Contact your county planning or public works department and provide the following information:

Person contacted: Napa County
Date of contact: 3/5/2013
Department: Planning Office
Telephone: (707) 253-4416
County Zoning Designation:
017-130-050 - Ag Preserve

Are any county permits required for your project? ☒ YES ☐ NO If YES, check appropriate box below:

☒ Grading permit ☐ Use permit ☐ Watercourse ☐ Obstruction permit ☐ Change of zoning ☐ General plan change ☐ Other (explain):

Offstream Reservoir A is proposed

b. Have you obtained any of the required permits described above? ☐ YES ☒ NO
If YES, provide a complete copy of each permit obtained.

☐ *See Attachment No. ___*

17. STATE/FEDERAL PERMITS AND REQUIREMENTS

a. Check any additional state or federal permits required for your project:
☐ Federal Energy Regulatory Commission ☐ U.S. Forest Service ☐ U.S. Bureau of Land Management ☐ U.S. Corps of Engineers ☐ U.S. Natural Res. Conservation Service ☒ Calif. Dept. of Fish and Game ☐ State Lands Commission ☐ Calif. Dept. of Water Resources (Div. of Safety of Dams) ☐ Calif. Coastal Commission ☐ State Reclamation Board ☐ Other (specify)

b. For each agency from which a permit is required, provide the following information:

AGENCY	PERMIT TYPE	PERSON(S) CONTACTED	CONTACT DATE	TELEPHONE NO.
CDFW	LSAA	Fish and Game Code 1600		

☐ *See Attachment No. ___*

c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank, or riparian habitat of any stream or lake? ☒ YES ☐ NO
If YES, explain:
Existing Reservoir #1 is on-stream; however, significance has not been established.
Point of Diversion #2 is existing, however, significance has not been established.
~~Point of Diversion #3 is a proposed offset well on the Napa River~~

☐ *See Attachment No. ___*

b. Have you contacted the California Department of Fish and Game concerning your project?
☒ YES ☐ NO If YES, name, telephone number and date of contact:
Corinne Gray - 707 944-5526 - February 2013

18. ENVIRONMENTAL DOCUMENT

a. Has any California public agency prepared an environmental document for your project?
☐ YES ☒ NO

b. If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency:

c. If NO, check the appropriate box and explain below, if necessary:
☐ The applicant is a California public agency and will be preparing the environmental document.*
☒ I expect that the State Water Board will be preparing the environmental document.**
☐ I expect that a California public agency other than the State Water Board will be preparing the environmental document.* Public agency: ___
☒ *See Attachment No. 1*

* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Board, Division of Water Rights and proof of payment of the State Clearinghouse filing fee. Processing of your application cannot be completed until these documents are submitted.

** Note: CEQA requires that the State Water Board, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the applicant and at the applicant's expense under the direction of the State Water Board, Division of Water Rights.

19. WASTE/WASTEWATER

a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation? ☐ YES ☒ NO
If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

_____
_____
_____

☐ *See Attachment No. ___*

b. Will a waste discharge permit be required for your project? ☐ YES ☒ NO
Person contacted: _____ Date of contact: _____

c. What method of treatment and disposal will be used? _____
_____
_____

☐ *See Attachment No. ___*

20. ARCHEOLOGY

a. Have any archeological reports been prepared on this project? ☐ YES ☒ NO
b. Will you be preparing an archeological report to satisfy another public agency? ☐ YES ☒ NO
c. Do you know of any archeological or historic sites located within the general project area? ☐ YES ☒ NO If YES, explain:

_____
_____
_____

☐ *See Attachment No. ___*

21. ENVIRONMENTAL SETTING

Attach **two complete sets of color photographs,** clearly dated and labeled, showing the vegetation that exists at the following three locations:

☒ Along the stream channel immediately downstream from the proposed point(s) of diversion.
☒ Along the stream channel immediately upstream from the proposed point(s) of diversion.
☒ At the place(s) where the water is to be used.
☒ *See Attachment No. 6*

SUBMITTAL FEES

Calculate your application filing fee using the "Water Right Fee Schedule Summary" that was enclosed in the application packet. The "Water Right Fee Schedule Summary" can also be viewed at the Division of Water Rights' website (www.waterrights.ca.gov).

A check for the application filing fee, payable to the "Division of Water Rights" and an $850 check for the Streamflow Protection Standards review fee [Pub. Resources Code § 10005(a)], payable to the "California Department of Fish and Game," must accompany this application. All applicable fees are required at the time of filing. If the application fees are not received, your application will not be accepted and will be returned to you. Please check the fee schedule for any fee changes prior to submitting the application.

DECLARATION AND SIGNATURE

I declare under penalty of perjury that all information provided is true and correct to the best of my knowledge and belief. I authorize my agent, if I have designated one above, to act on my behalf regarding this water right application.

Signature of Applicant	Title or Relationship	Date
John McLean	Controller	4/15/13
Signature of Co-Applicant (if any)	Title or Relationship	Date

Applications that are not completely filled out and/or do not have the appropriate fees will not be accepted. In the event that the Division has to return the application because it is incomplete, a portion of the application submittal fee will be charged for the initial review.

"APPLICATION TO APPROPRIATE WATER" CHECKLIST

Before you submit your application, be sure to:

- ☐ **Answer each question completely.**
- ☐ **Number, label and include all necessary attachments.**
- ☐ **Include a legible map that meets the requirements discussed in the instruction booklet.**
- ☐ **Include the Water Availability Analysis or sufficient information to demonstrate that there is reasonable likelihood that unappropriated water is available for the proposed appropriation.**
- ☐ **Include two complete sets of color photographs of the project site.**
- ☐ **Enclose a check for the required fee, payable to the Division of Water Rights.**
- ☐ **Enclose an $850 check for the Streamflow Protection Standards review fee, payable to the Department of Fish and Game.**
- ☐ **Sign and date the application.**

Send the original and one copy of the entire application to:

State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

Attachments to Accompany
Water Right Application
Chateau Montelena

2. Identification of Names, addresses and phone numbers of all partners

Vendange Inc.
1429 Tubbs Lane
Calistoga, CA 94515
707-942-5105

James P Barrett
1429 Tubbs Lane
Calistoga, CA 94515
707-942-5105

James Barrett
1429 Tubbs Lane
Calistoga, CA 94515
707-942-5105

Laura Barrett
Callejon de los Tanques #12
Colonia El Cerro
Puerto Vallarta, Jalisco, Mexico 48304
011-52-322-222-2734

Attachment #1

3. Project Description

This project consists of the storage of up to 57.5 acre-feet annually in an existing storage reservoir at Point of Diversion #1 located on an unnamed stream tributary to an unnamed Stream thence the Napa River ~~and a proposed offstream pit-type pond.~~ The existing reservoir at Point of Diversion #1 has a capacity of 27.5 acre-feet (see attached survey and area capacity curve). ~~The proposed offstream pond (Reservoir A) will have a capacity of 30 acre-feet.~~ This application also seeks the diversion of water from an adjacent unnamed stream at Point of Diversion #2. The existing diversion facility consists of a temporary weir in the channel. Water from the adjacent channel is directed through the spillway and into Reservoir #1. ~~Point of Diversion #3 is a proposed offset well to be located above the bank of the Napa River that will be used to fill proposed offstream reservoir A.~~

Reservoir #1 was built in 1972 and stores water collected from its naturally tributary drainage area and from water diverted at Point of Diversion #2. ~~Proposed offstream reservoir A will be constructed on land that has been previously developed to vineyard, the land is currently fallow. The majority of the lands in the requested place of use were developed to orchards as early as the 1880's. The vineyard was developed in the early 1970's.~~ Water will be used for irrigation, frost protection and heat control of 117 acres of existing vineyard (see location on Attachment 4). Of the existing 117 acres, approximately 77 acres are currently irrigated, the remaining 40 acres are dry farmed. Presently 30 acres are frost protected. This application proposes for the entire place of use to be served water for irrigation, frost protection and heat control.

Attachment #2

6. Water Availability: See separate attachment.

Attachments to Accompany
Water Right Application
Chateau Montelena

Attachment #3

7. Place of Use

Use Within	Projected Section	Township	Range	B.&M.	Acres	Previously Cultivated
NW¼ of SW¼	23	T.9N.	R.7W.	M.D.	1	Yes
NE¼ of SW¼	23	T.9N.	R.7W.	M.D.	3	Yes
SW¼ of SW¼	23	T.9N.	R.7W.	M.D.	12	Yes
SE¼ of SW¼	23	T.9N.	R.7W.	M.D.	18	Yes
NW¼ of SE¼	23	T.9N.	R.7W.	M.D.	5	Yes
SW¼ of SE¼	23	T.9N.	R.7W.	M.D.	30	Yes
SE¼ of SE¼	23	T.9N.	R.7W.	M.D.	1	Yes
NW¼ of NW¼	26	T.9N.	R.7W.	M.D.	1	Yes
NE¼ of NW¼	26	T.9N.	R.7W.	M.D.	12	Yes
NW¼ of NE¼	26	T.9N.	R.7W.	M.D.	32	Yes
NE¼ of NE¼	26	T.9N.	R.7W.	M.D.	2	Yes
					117	

Attachment #4

10.e. Outlet Pipe

#1: Reservoir is existing with no outlet; dewatering will be accomplished by pumping.

~~A: Reservoir is a proposed pit-type pond; dewatering will be accomplished by pumping.~~

Attachment #5

15. Map

See separate attachment.

Attachment #6

21. Environmental Setting (Photographs)

See separate attachment.

ATTACHMENT 2

Estimate of Water Availability to Accompany Water Right Application of Chateau Montelena

California Water Code Section 1260(k) requires that every application for a permit to appropriate water shall include "sufficient information to demonstrate a reasonable likelihood that unappropriated water is available for the proposed appropriation." This narrative and accompanying calculations provide the required information.

The subject Application includes a point of diversion (POD #1) on an unnamed stream tributary to an unnamed stream thence the Napa River thence San Pablo Bay, a point of diversion (POD #2) on an unnamed stream tributary to the Napa River, ~~and point of diversion (POD #3) on the Napa River~~, all in Napa County (see attached map). Diversion of up to 27.5 acre-feet is proposed for storage at a reservoir at POD #1 ~~and 30 acre-feet at a proposed offstream Reservoir A~~. According to State Water Resources Control Board Order WR 98-08, the Napa River is fully appropriated above Trancas Street from May 15 to October 31. The Application proposes a diversion season of November 1 to May 14, which conforms to Order WR 98-08. The following describes the methodology used to demonstrate a reasonable likelihood that water is physically available for the proposed appropriation.

The attached map shows the proposed points of diversion and the watershed areas tributary thereto. The map also shows lines of equal mean annual runoff as shown on the map included with the document entitled *Mean Annual Runoff in the San Francisco Bay Region, California, 1931-70 by S.E. Rantz, 1974.*[1] An excerpt of this map is attached (Rantz map).

The weighted mean annual runoff for the watersheds tributary to POD #1, POD #2 ~~and POD #3~~ were computed based on the Rantz map. Mean *seasonal* runoff for the subject watersheds was estimated by adjusting the mean annual runoff assuming that the ratio of seasonal to annual runoff is identical to the ratio of seasonal to annual mean precipitation. The Calistoga precipitation station was used for this purpose (record attached). The resulting seasonal runoff value was adjusted by deducting the *face value* of any senior water rights in the watershed above the proposed points of diversion.

Calculations for the foregoing methodology are attached. These calculations show that in an average water year approximately 49.2 acre-feet would accrue to POD #1, 91.1 acre-feet would accrue to POD #2, ~~and about 4,661 acre-feet would accrue to POD #3 (after deducting the face value of upstream water rights)~~. The combined total of about ~~4,801~~ 140.3 acre-feet would be ample to fill the 27.5 acre-foot reservoir at POD #1 ~~and the proposed 30 acre-foot offstream reservoir~~, leaving about ~~4,744~~ 112.8 acre-feet of runoff remaining. Accordingly, it is reasonable to conclude that water is available for the subject Application.

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[1] USGS Miscellaneous Field Studies Map MF-613, prepared in cooperation with the California Department of Water Resources.

Water Right Application by Chateau Montelena
Estimate of Water Availability

Monthly Precipitation[1]
CALISTOGA, CALIFORNIA

Month	Mean Precipitation (in)
October	2.04
November	4.27
December	7.32
January	8.22
February	6.54
March	4.93
April	2.14
May	1.06
June	0.28
July	0.05
August	0.09
September	0.38
Annual	**37.31**

Point of Diversion #1	
Mean Precipitation for requested diversion season (11/1 - 5/14):[1]	33.94 in
Precipitation during requested diversion season as a percentage of total precipitation:	90.97%
Mean Annual Runoff:[2]	19.6 in
Estimated Mean Seasonal Runoff:[3]	17.8 in
Watershed Area for POD #1:	33.1 ac
Total Estimated Mean Seasonal Runoff at POD #1:	49.2 ac-ft
Senior Diverters of Record within POD #3 watershed (face value):[4]	0.0 ac-ft
Total water available at POD #1:	**49.2 ac-ft**
Point of Diversion #2	
Mean Precipitation for requested diversion season (11/1 - 5/14):	33.94 in
Precipitation during requested diversion season as a percentage of total precipitation:	90.97%
Mean Annual Runoff:[2]	19.8 in
Estimated Mean Seasonal Runoff:[3]	18.0 in
Watershed Area for POD #2:	60.7 ac
Total Estimated Mean Seasonal Runoff at POD #2:	91.1 ac-ft
Senior Diverters of Record within POD #2 watershed (face value):[4]	0.0 ac-ft
Total water available at POD #2:	**91.1 ac-ft**
~~**Point of Diversion #3**~~	
~~Mean Precipitation for requested diversion season (11/1 - 5/14):~~	~~33.94 in~~
~~Precipitation during requested diversion season as a percentage of total precipitation:~~	~~90.97%~~
~~Mean Annual Runoff:[2]~~	~~23.1 in~~
~~Estimated Mean Seasonal Runoff:[3]~~	~~21.0 in~~
~~Watershed Area for POD #3:~~	~~3,061.1 ac~~
~~Total Estimated Mean Seasonal Runoff at POD #3:~~	~~5,357.0 ac-ft~~
~~Senior Diverters of Record within POD #3 watershed (face value):[4]~~	~~696.0 ac-ft~~
~~**Total water available at POD #3:**~~	~~**4,661.0 ac-ft**~~

Notes:

[1] Source: Western Regional Climate Center website, http://www.wrcc.dri.edu/summary/climsmnca.html. Seasonal amount computed by adding monthly amounts for November through April, plus half of monthly amount for May.

[2] *Mean Annual Runoff in the San Francisco Bay Region, California, 1931-70 (Miscellaneous Field Studies Map MF-613), by S.E. Rantz, 1974.*

[3] Estimated mean seasonal runoff is computed by multiplying mean annual runoff by percent seasonal precipitation.

[4] Face value of senior rights above PODs based on review of SWRCB eWRIMS data base.

Chateau Montelena
Calculation of Weighted Mean Annual Runoff in POD Watersheds

Watershed	Area (ac)	Mean Annual Runoff [1] (in)	Volume (ac-in)	Volume (ac-ft)
POD #1	33.1	19.6	649	54
POD #2	60.7	19.8	1,202	100
POD #3	3061.1	23.1	70,819	5,902

Notes:

1. Weighted mean annual runoff from automatic calculation using AutoCAD.

CALISTOGA, CALIFORNIA

Monthly Total Precipitation (inches)

-41312

File last updated on Oct 29, 2012

*** Note *** Provisional Data *** After Year/Month 201207

a = 1 day missing, b = 2 days missing, c = 3 days, ..etc..,

z = 26 or more days missing, A = Accumulations present

Long-term means based on columns; thus, the monthly row may not sum (or average) to the long-term annual value.

MAXIMUM ALLOWABLE NUMBER OF MISSING DAYS : 5

Individual Months not used for annual or monthly statistics if more than 5 days are missing.

Individual Years not used for annual statistics if any month in that year has more than 5 days missing.

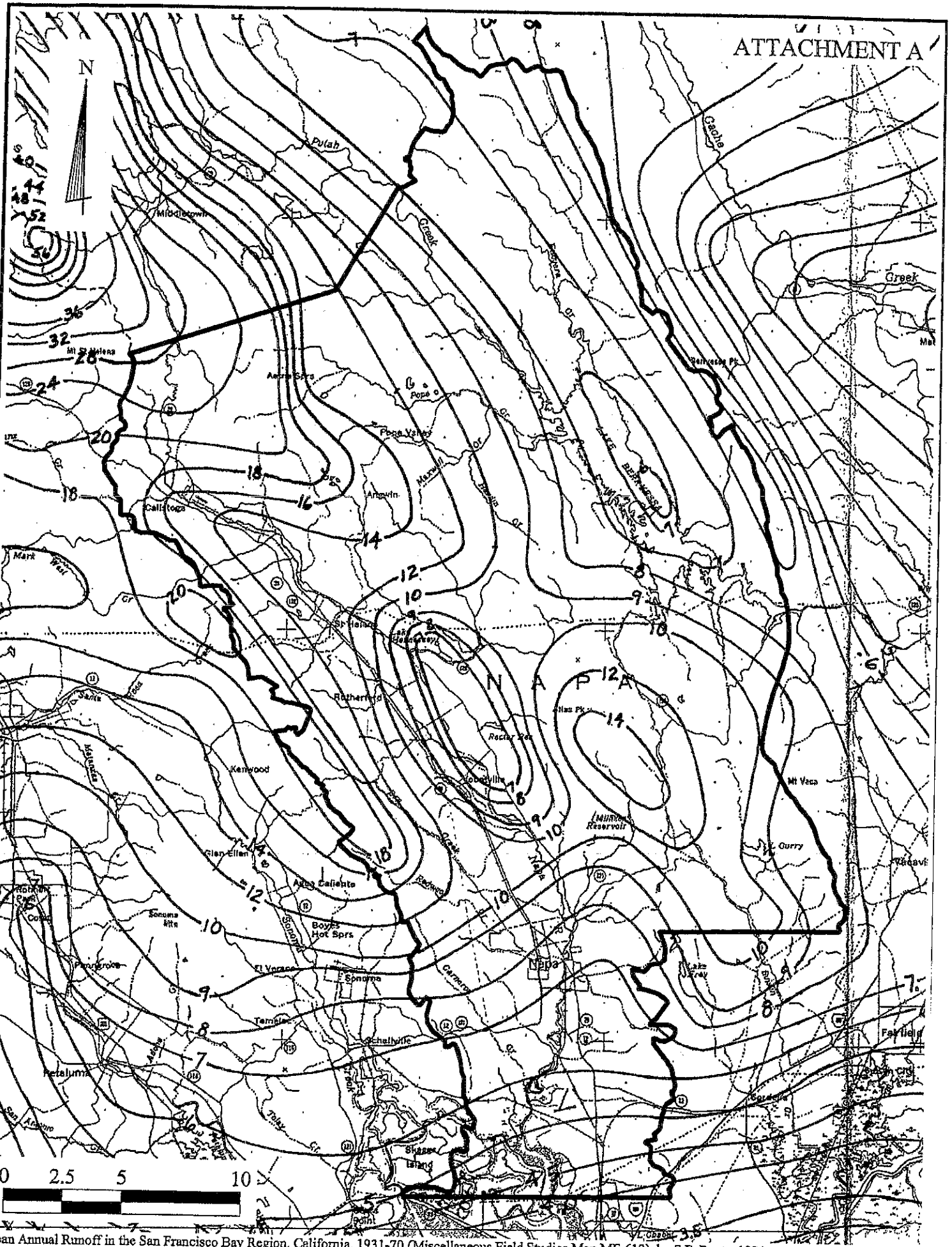
YEAR(S)	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ANN
1907	0 z	2.42	10.98	10.89	7.95	16.85 a	0.45	0.35	1.15	0 z	0 z	0 z	34.19
1908	0.72	0 z	9.16	5.97	6.35	2.8	0.24	1.21	0.05	0	0	0 z	26.5
1909	0.93	3.13	4.18	29.23	12.04	4.33	0 z	0 z	0.08	0 z	0 z	1.22	55.14
1910	1.93	3.51	9.22	7.16	4.26	5.01	1.14	0.15	0	0	0 z	0.1	32.48
1911	0.52	1.6	2.32	17.67	3.46	11.32	3.59	0.84 z	0	0	0	0	40.48
1912	0.84	0.95	1.15	5.27 s	0.86	6.76	2.14	2.64 s	1.17	0	0	3.41	10.52
1913	0.95	5.68	6.289 z	9.03	0.3	3.21	2.51 a	1.4	0.11	0	0	0	20.68
1914	0	6.15	17.59	21.96	10.02	1.73	0.55	1.29	0.22	0 z	0 z	0 z	59.51
1915	2.28	0.64	7.5 z	10.84	19.84	4.42	0.16	5.74	0 z	0 z	0 z	0 z	43.92
1916	0.12	1.88	10.49	19.98	3.92 b	2.08 z	0 z	0.4 z	0 z	0.58	0.53	0.31	32.47
1917	0.83 z	2.12 z	8.854 a	2.36	8.27	1.36	2.33 z	0.24 z	0 z	0 z	0 z	0.2 z	11.99
1918	0 z	0.91 z	3.52	1.3	8.29	5.93	0.71	0	0 z	0 z	0 z	0 z	19.75
1919	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1920	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1921	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1922	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1923	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1924	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1925	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1926	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1927	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1928	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1929	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1930	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1931	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1932	3.05	2.76	18.79	4.97	1.16	1.28	2.19	2.9	0	0	0	0	37.1
1933	0.1	2.1	4.56	11.35	2.5	7.43	0.14	2.09	0	0	0	0.02 z	30.29
1934	3.4	0	11.32	2.83	7.68	1.37	1.36	0.91	0.77	0 z	0 z	0 z	29.64
1935	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1936	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1937	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1938	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1939	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1940	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1941	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1942	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1943	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z	0 z
1944	0.62	1.44	2.97	5.94	7.83	4.15	3.55	1.12	0.5	0	0	0	28.12
1945	2.3	6.77	4.12	2.63	7.71	5.81	0.54 z	1.87	0	0 z	0	0	31.21
1946	4.71	6.79	11.8	2.09	3.23	2.63	0.65	0.47	0	0.22	0	0.08	32.67
1947	0.24	6.06	4.25	1.27	5.18	5.67	0.96	0.27	1.74	0	0	0	25.64
1948	5.72	1	1.44	0 z	0 z	0 z	0 z	0 z	0 z	0	0	0.02	31.18
1949	0.6	1.87	6.71	2.24	4.72	9.23	0.05	0.51	0	0	0.02	0	25.95
1950	0.02 z	3.29	2.85	10.65	6.16	3.93	1.41	1.33	0.06	0	0	0	29.68
1951	4.52	7.92	10.08	7.32	3.13	1.93	1.53	1.78	0	0	0	0	38.21
1952	3.06	6.02	11.58	12.92	4.72	4.32	0.81	0.53	1.04	0	0	0	45
1953	0.08	3.26	17.26	9.61	0.16	5.3	3.9	1.03	0.62	0	0.17	0	41.39
1954	1.29	5.03	1.25	10.14	5.56	5.92	3.54	0.15	0.36	0	1.83	0.02	35.09
1955	0.65	6.46	4.77	3.72	2.13	0.81	4.17	0.16	0	0	0	0.53	23.4
1956	0.51	3.43	2.105 s	13.45	10.35	0.34	2.62	1.05	0.07	0	0	0.18	34.92
1957	3.93	0.18	0.44	4.85	8.9	3.84	2.76	4.81	0.13	0	0	2.93	32.77
1958	6.48	1.76	5.63	8.87	17.73	8.98	7.42	0.86	0.79	0.14	0	0.02	58.68

YEAR(S)	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ANN
1959	0.2	0.39	2.26	9.52	9.06	1.64	0.41	0.11	0	0	0	3.6	27.19
1960	0.04	0.07	2.46	7.07	12.76	6.41	1.92	1.26	0	0	0	0.02	32.01
1961	0.96	6.19	5.32	6.11	4.51	5.16	2.37	0.24	0.16	0	0.07	0.77	31.86
1962	0.37	4.45	4.67	2.81	14	7.65	0.6	0.09	0	0	0.04	0.36	35.04
1963	13.87	1.77	5.93	5.82	8.78	8.17	8.11	0.91	0.02	0	0	0	53.38
1964	2.34	8.89	0.6	5.49	0.24	2.69	0.16	0.68	0.88	0	0	0	21.97
1965	2.24	7.2	16.19	9.24	1.29	1.04	4.82	0.07	0	0	0.59	0	42.68
1966	0.13	7.73	4.89	8.08	4.2	0.91	0	0.19	0.08	0	0.27	0.09	26.57
1967	0	9.53	7.97	14.82	0.35	7.68	6.45	0.5	2.22	0	0	0.13	49.65
1968	1.43	2.97	5.2	12.13	5.06	4.15	0.58	1.01	0	0	0.94	0.07	33.54
1969	2.92	3.41	11.56	16.73	10.94	1.91	3.01	0.12	0.08	0	0	0	50.68
1970	2.63	1.03	13.93	22.17	4.22	3.12	0.33	0.02	0.34	0	0	0	47.79
1971	2.37	12.86	13.65	3.79	0.25	5.54	1.35	0.52	0.03	0	0.04	0.13	40.53
1972	0.43	2.32	7.64	3.04	3.79	1.24	2.42	0.06	0.25	0	0.04	0.86	22.09
1973	3.34	7.79	5.56	16.11	8.67	3.17	0.1	0.05	0	0	0	0.75	45.54
1974	3.15	17.12	5.78	9.12	4.07	11.77	3.37	0.03	0	2.01	0	0	56.42
1975	1.29	1.69	5.74	2.51	12.66	10.49	2.5	0.06	0.02	0.2	0.02	0	37.18
1976	4.3	1.46	1.13	0.41	2.88	1.01	2.85	0	0.1	0	0.97	0.76	15.87
1977	0.52	1.64	1.29	2.44	2.62	2.95	0.21	1.05	0	0	0.02	1.52	14.26
1978	0.81	7.69	7.96	15.75	7.85	6.57	5.13	0.12	0	0	0	0.97	52.85
1979	0	1.38	0.87	11.01	11.2	3.36	2.93	1.14	0	0	0	0.11	32
1980	4.39 b	4.04	8.56	8.11	11.73	2.44	2.57	0.6	0.24	0.05	0	0	42.73
1981	0.05 d	0.71	7.46	9.61	3.72	3.72	0.5	0.37	0	0	0	0.33	26.47
1982	4.24	12.18	12.07	8.09	6.4	10.28	7.39	0	0.02	0.22	0	1.68	62.57
1983	5.24	9.73	4.65	9.9	12.98	16.28	4.49	0.77	0	0	0.38	0.56	64.98
1984	2.04	15.16	12.82	0.54	3.13	3.36	1.26	0.24	0.38	0	0.16	0.04	39.13
1985	2.35	11.17	2.9	1.49	5.23	5.89	0.17	0	0.02	0.57	0.73 q	1.44	31.23
1986	1.5	5.01	3.22	8.04	32.06	8.22	0.66	1.28	0	0	0	1.16	61.15
1987	0.44	0.1	1.68	3.05	6.37	5.29	0.2	0.04	0	0	0	0	17.17
1988	1.56	3.75	10.27	7	0.5	0.27	2.73	1.29	0.95	0	0	0	28.32
1989	0.15	7.48	4.55	1.52	1.45	11.45	1.04	0.13	0.27	0	0	2.29	30.33
1990	5.29	2.46	0	6.2	4.54	1.51	0.21	4.89	0	0	0	0.21	25.31
1991	0.74	0.56	0.95 a	1.02	4.22	19.16	0.32	0.05	0.65	0	0.06	0	27.73
1992	2	1.66	3.31	2.43	9.06	6.18	1.58	0	1.19	0	0	0.01	27.42
1993	3.44	0.43	13.44	17.56	10.49	3.03	1.88	1.63	1.11	0	0	0	53.01
1994	1.21	3.76	5.95	3.58	6.61	0.56	2.23	1.07	0	0	0	0	24.97
1995	0.82	7.42 b	5.12	30.23	1.26	17.85	3.2	2.54	0.98	0	0	0	69.42
1996	0 z	0.22	13.14	10.04 a	11.2	3.75	4.04 a	4.15	0	0	0	0.13	46.67
1997	1.95	4.36	17.14	15.96 i	0.21 b	1.62 a	1.1	0.58 a	0.25	0	0.83	0.3	28.34
1998	1.45	7.87 c	5.81 a	11.12 i	22.33 g	3.03 b	3.04	3.61	0.09	0	0	0.17 b	25.07
1999	0.95 a	8.61 i	2.79 d	4.19 b	10.26 i	5.91 e	3.15 d	0.17 b	0	0	0	0.13	17.29
2000	1.01	4.78 i	0.95	8.08 i	14.6	3.58 b	3.87 b	1.93 d	0 z	0	0	0 z	11.34
2001	3.44 d	1.45	0 z	6.33 d	4.95 i	3.7 b	1.25 c	0	0.12	0	0	0.55	16.84
2002	1.55	9.58	14.25	6.06	2.59	3.57	0.27	0.88	0	0	0	0 z	38.75
2003	0	0.47 c	18.93 a	5.92 a	1.24 a	4.28	0 a	1.5	0	0 a	0	0	32.34
2004	0	3.6 c	17.13 a	4.08	10.63	1.9	0.97	0 a	0	0	0 d	0 a	37.71
2005	4.13	1.49	11.25	7.5	2.83 a	5.55 a	2.77	6.78	1.32 b	0	0 d	0	43.62
2006	1.27	2.11	17.18 b	5.63 a	6.32	12.06 a	5.19	0.73	0 a	0 b	0 a	0 a	50.49
2007	0.45	2.93 a	7.46	0.35 a	9.19 a	0.09	2.91	0.61	0	0.05	0	0.14	24.18
2008	3.75	0.76	5.83	12.87	5.84	0.43	0.28	0.08	0	0	0	0	29.84
2009	2.11	3.29	5.16	0 z	11.3	0.3 z	0 z	3.38	0.12	0	0	0.03 b	25.99
2010	3.87	0 z	0 z	12.93 h	5.73	2.95 g	7.25 a	2.52	0.03	0 g	0	0.07	19.47
2011	4.95 a	4.32 b	10.6 b	2.37 y	7.56 q	12.65 n	0.2 z	3.59 y	2.14 z	0	0	0	19.87
2012	2.56 y	3.76 i	0.38 z	6.92 y	2.82 n	11.13 n	3.01 y	0.03	0.06	0	0 z	0 z	0.09

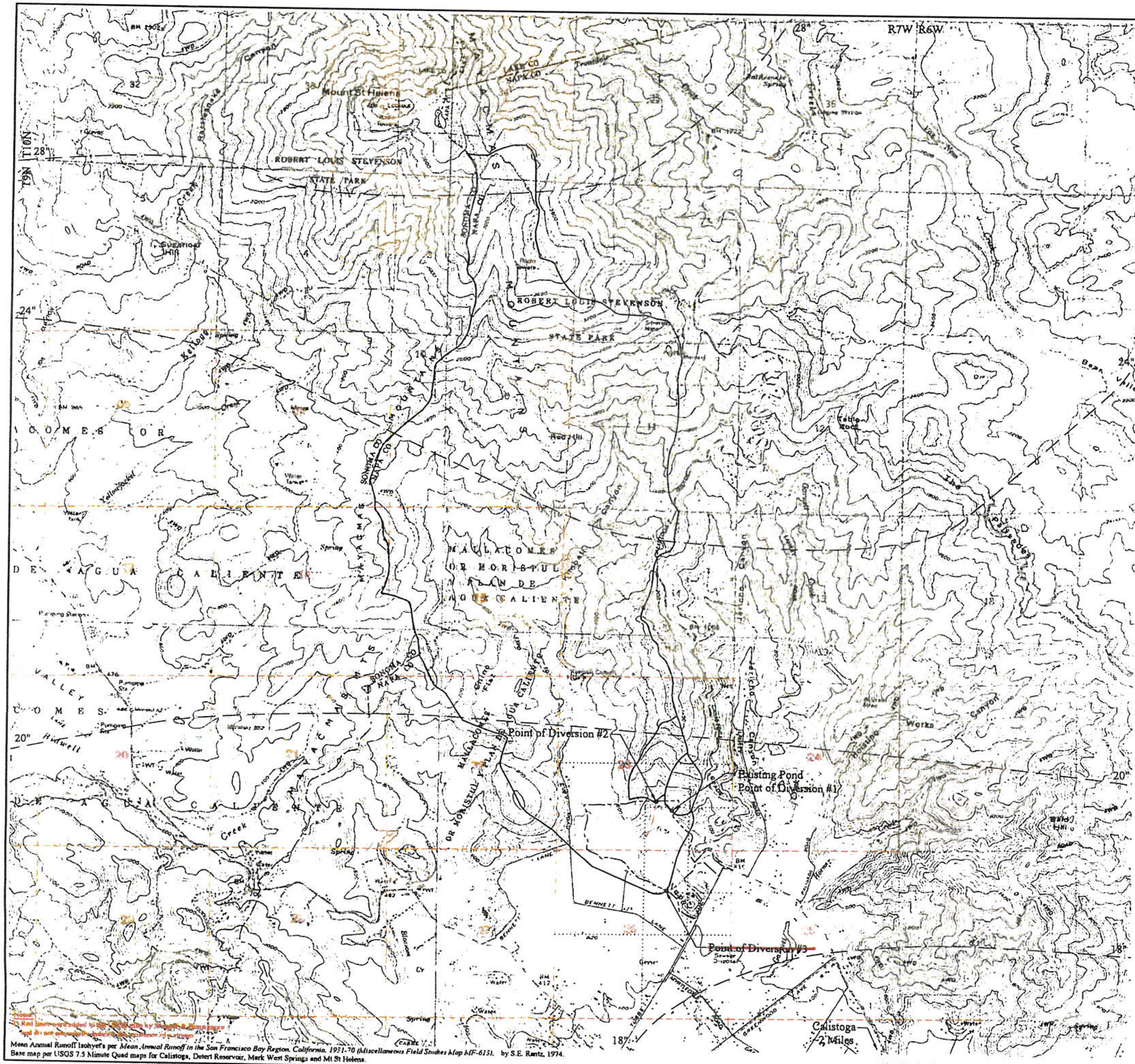
Period of Record Statistics

MEAN	2.04	4.27	7.32	8.22	6.54	4.93	2.14	1.06	0.28	0.05	0.09	0.38	37.43
MAX.	13.87	17.12	18.93	30.23	32.06	19.16	8.11	6.78	2.22	2.01	1.83	3.6	69.42
MIN.	0	0	0	0.35	0.16	0.09	0	0	0	0	0	0	14.26
NO. YRS	78	76	77	75	76	76	76	79	79	76	74	73	52

ATTACHMENT A



Mean Annual Runoff in the San Francisco Bay Region, California, 1931-70 (Miscellaneous Field Studies Map MF-613), by S.E. Rantz, 1974.



Mean Annual Runoff Isohyets per *Mean Annual Runoff in the San Francisco Bay Region, California, 1931-70 (Miscellaneous Field Studies Map MF-613),* by S.E. Rantz, 1974.
Base map per USGS 7.5 Minute Quad maps for Calistoga, Detert Reservoir, Mark West Springs and Mt St Helena.

N

0' 1,000' 2,000' 4,000'

Legend

- Watershed Boundary
- 40" Line of Equal Mean Annual Runoff
- • Point of Diversion
- Approximate Property Boundary

Points of Diversion:

Map Point	Description
1	Point of Diversion by Collection to Storage & Point of Rediversion for Water Diverted at Point of Diversion #2: Located N.1,984,511' and E.6,389,823', California Coordinate System, NAD83, Zone 2, being within the SW¼ of SE¼ of Projected Section 23, T9N, R7W, MDB&M.
2	Point of Diversion to Offstream Storage at #1: Located N.1,984,871' and E.6,389,402', California Coordinate System, NAD83, Zone 2, being within the NW¼ of SE¼ of Projected Section 23, T9N, R7W, MDB&M.
3	Point of Diversion to Offstream Storage in Reservoir A: Located N.1,982,135' and E.6,389,745', California Coordinate System, NAD83, Zone 2, being within the NW¼ of NE¼ of Projected Section 26, T9N, R7W, MDB&M.

Map to Accompany
Water Availability Analysis
for
Water Right Application ______
by
Chateau Montelena
for
Appropriation of Water from
Unnamed Streams & Napa River

Napa County, California

Wagner Bonsignore

March 2013